IN THE CLAIMS

Kindly amend claims 1, 11, 20 and 27 and delete claims 3, 9, 10, 13, 18, 19, 25, 26, 31 and 32 without prejudice to, or disclaimer of, the subject matter therein.

The following is a complete listing of revised claims with a status identifier in parenthesis.

LISTING OF CLAIMS

1.   (Currently Amended)   A hybrid telecommunications switch apparatus comprising:

one or more circuit switch fabrics,

one or more packet switch fabrics,

a controller configured to,

examine a SONET/SDH path overhead byte ~~traffic overhead information~~ to determine which of said switch fabric types to route the traffic to;

dynamically allocate circuit switch resources to ATM and IP traffic in order to route traffic to a packet switch fabric based on said examination; and

to route telecommunications traffic to one or the other of the said circuit or packet switch fabrics ~~upon making a determination~~ based on said examination.

2.   (Cancelled)

3.   (Cancelled)

4.   (Original)   The apparatus of claim 3 wherein the overhead byte is a C2 overhead byte.

5.   (Original)   The apparatus of claim 1 wherein the circuit switch fabric is a synchronous transport signal (STS) crossconnect.

6.   (Original)   The apparatus of claim 1 wherein the packet switch fabric is configured to switch internet protocol (IP) or asynchronous transfer mode (ATM) traffic.

7.   (Original)   The apparatus of claim 1 further comprising a plurality of circuit switch fabrics.

8.   (Original)   The apparatus of claim 1 wherein the controller is configured to examine a path overhead byte associated with received traffic and to thereby determine whether the traffic is ATM, IP, or STM traffic.

9.   (Cancelled)

10.   (Cancelled)

11.   (Currently Amended)   A method of switching telecommunications traffic in a hybrid switch including a circuit switch fabric, a packet switch fabric, and a controller, the method comprising the steps of:

(A) provisioning the circuit switch fabric for IP, ATM, and circuit traffic,

(B) examining ~~traffic~~ a SONET/SDH path overhead ~~information~~ byte to determine whether received traffic is IP, ATM, or circuit traffic, [[and]]

(C) dynamically allocating circuit switch resources to ATM and IP traffic to route to a packed switch fabric based on said examination,

[[(C)]] (D) switching the received traffic in a packet or circuit switch fabric in response to the ~~determination~~ examination of step (B).

12.   (Cancelled)

13.   (Cancelled)

14.   (Original)   The method of claim 13 wherein the overhead byte is a

C2 overhead byte.

15.   (Original)   The method of claim 14 wherein the step (C) of

switching comprises the step of:

(C1) the controller directing ATM traffic to a packet switch fabric.

16.   (Original)   The method of claim 14 wherein the step (C) of

switching comprises the step of:

(C2) the controller directing IP traffic to a packet switch fabric.

17.   (Original)   The method of claim 14 wherein the step (C) of

switching comprises the step of:

(C3) the controller directing traffic that is neither ATM or IP traffic to the

circuit switch fabric.

18.   (Cancelled)

19.   (Cancelled)

20.   (Currently Amended)   A hybrid telecommunications switch

apparatus comprising:

one or more circuit switch fabrics,

one or more packet switch fabrics,

a controller configured to,

examine traffic overhead information to determine which of said switch

fabric types to route the traffic to;

dynamically allocate circuit switch resources to ATM and IP traffic to

route traffic to a packet switch fabric based on said examination, and

to route telecommunications traffic to one or the other of the said circuit

or packet switch fabrics based on said examination upon making a

determination,

wherein the overhead information comprises a SONET/SDH path, C2

overhead byte.

21.   (Previously Presented)   The apparatus of claim 20 wherein the

circuit switch fabric is a synchronous transport signal (STS) crossconnect.

22.   (Previously Presented)   The apparatus of claim 20 wherein the

packet switch fabric is configured to switch internet protocol (IP) or

asynchronous transfer mode (ATM) traffic.

23.   (Previously Presented)   The apparatus of claim 20 further

comprising a plurality of circuit switch fabrics.

24.   (Previously Presented)   The apparatus of claim 20 wherein the

controller is further configured to examine the path overhead byte to determine

whether the traffic is ATM, IP, or STM traffic.

25.   (Cancelled)

26.   (Cancelled)

27.   (Currently Amended)   A method of switching

telecommunications traffic in a hybrid switch including a circuit switch fabric,

a packet switch fabric, and a controller, the method comprising the steps of:

provisioning the circuit switch fabric for IP, ATM, and circuit traffic,

examining a SONET/SDH path, C2 overhead byte to determine whether

received traffic is IP, ATM, or circuit traffic, [[and]]

dynamically allocating circuit switch resources to ATM and IP traffic to

route traffic to a packet switch fabric based on said examination,

switching the received traffic in a packet or circuit switch fabric in

response to the ~~determination~~ of examination step [[(B)]].

28.   (Previously Presented)   The method of claim 27 further comprising

the step of directing ATM traffic to a packet switch fabric.

29.   (Previously Presented)   The method of claim 27 further comprising

the step of directing IP traffic to a packet switch fabric.

30.   (Previously Presented)   The method of claim 27 further comprising

the step of directing traffic that is neither ATM or IP traffic to the circuit switch

fabric.

31.   (Cancelled)

32.   (Cancelled)